

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SABIN GREGORY BARENDT,

Plaintiff,

v.

JIM GIBBONS, et al.,

Defendants.

3:08-cv-00161-LRH-RAM

ORDER

Before this Court is Report and Recommendation of U.S. Magistrate Judge Robert A. McQuaid, Jr. (#80¹) entered on February 11, 2010, recommending granting Defendants' Motion for Summary Judgment (#44) filed on July 8, 2009, and denying Plaintiff's Motion for Summary Judgment (#43) filed on July 2, 2009. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendation (#81) on March 2, 2010, Defendants filed their Opposition to Plaintiff's Objections to Magistrate Judge's Report and Recommendation (#82) on March 10, 2010, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant

¹Refers to court's docket number.

1 to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's
2 Report and Recommendation (#80) entered on February 11, 2010, should be adopted and accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#80)
4 entered on February 11, 2010, is adopted and accepted, and Defendants' Motion for Summary (#44)
5 is GRANTED and Plaintiff's Motion for Summary Judgment (#43) is DENIED.

6 The Clerk shall enter judgment accordingly.

7 IT IS SO ORDERED.

8 DATED this 30th day of March, 2010.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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